

REMARKS

This Amendment is in response to the Office Action mailed December 19, 2002. In the Office Action, the Examiner objected to the Disclosure, and rejected claims 1-4, 5-6, 7-14, 15-16, 17-22, 23, 24-36, 37, 38-52, 53, and 54-120 under 35 U.S.C. §103(a). Reconsideration in light of the amendments and remarks made herein is respectfully requested.

I. SPECIFICATION

The Examiner objected to the specification due to minor informalities. In response, Applicant has amended the specification accordingly. Therefore, Applicant respectfully requests the objection be withdrawn.

II. REJECTION UNDER 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 1-4, 7-14, 17-22, 24-36, 38-52, and 54-120 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,124,806 issued to Cunningham et al. ("Cunningham") in view of U.S. Patent No. 5,835,907 issued to Newman ("Newman"), and claims 5-6, 15-16, 23, 37, and 53 under 35 U.S.C. §103(a) as being unpatentable over Cunningham in view of Newman and further in view of U.S. Patent No. 5,544,225 issued to Kennedy, III et al. ("Kennedy"). Applicant respectfully traverses the rejection and contends that the Examiner has not met the burden of establishing a prima facie case of obviousness.

Cunningham discloses a wide area remote telemetry to obtain information on consumer utility usage. A sensor interface module sends the customer demand and usage information to data collection modules over unlicensed radio frequency bands (Cunningham, col. 4, lines 54-58). The data collection modules transmit the information over a data module connection to a network system. The network system forwards the information to a host module where the information is stored and processed. The stored or processed information may then be transmitted to the customer interface (Cunningham, col. 7, lines 19-27).

Newman discloses an emergency personal communication services (PCS) system for identification and notification of a subscriber's location. An emergency PCS device receives signal transmission from several GPS satellites, converts the received signals information

identifying a location of the emergency PCS device, and transmits the location and a code to a network over a wireless medium (Newman, col. 2, lines 21-29). If the emergency distress signal has not been activated, a voice processing system provides on-demand information on the subscriber's location to a telephone caller (Newman, col. 2, lines 43-46). There is no activation message being sent in response to a telephony call.

Kennedy discloses data messaging in a cellular communications network. Voice/data links support transmission of data over a voice channel using a modem, dual-tone multifrequency (DTMF) tones (Kennedy, col. 6, lines 1-3).

Cunningham, Newman, and Kennedy, taken alone or in any combination, does not disclose, suggest, or render obvious (1) a decoder to decode an activation message, (2) the activation message being sent from an activator in response to a telephony call, (3) the decoder generating an activation command, (4) a transmitter/receiver to transmit/receive an information message responsive to the activation command.

The sensor interface module or the data collection modules disclosed in Cunningham are neither decoder nor activator. The sensor interface module merely sends customer demand and usage information. The data collection modules merely transmit the received demand/usage information to a network. There is no activation message in response to a telephony call. Newman does not disclose the activation message being sent from an activator in response to a telephony call. Newman merely discloses a voice processing system to provide the information.

There is no motivation to combine Cunningham, Newman, and Kennedy because neither of them addresses the problem of automatic remote communication. There is no teaching or suggestion that a decoder to decode activation message is present. Cunningham, read as a whole, does not suggest the desirability of decoding an activation message, sending the activation message in response to a telephone call, generating a command, and transmitting/receiving an information message responsive to the command.

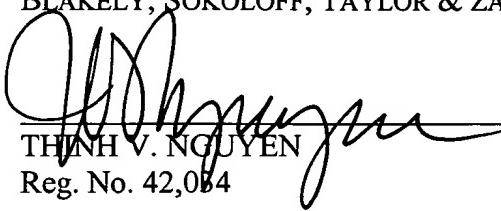
Therefore, Applicant believes that independent claims 1, 11, 21, 38, 54, 57, 60, 61, 71, 81, 91, 101, 111 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection(s) under 35 U.S.C. §103(a) be withdrawn.

CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited.

Respectfully submitted,

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